

SECTION C: SPECIFICATIONS/WORK STATEMENT

C.1 SCOPE

The District of Columbia Public Schools (DCPS), Office of Contracts and Acquisitions (OCA), on behalf of the Division of Specialized Instruction (DSI) in the Office of Teaching & Learning (OTL), is seeking a service provider to staff paraprofessionals and nurses dedicated to specific students who have disabilities (“dedicated aides”) during the school day. Due to the COVID-19 state of emergency and subsequent remote learning, services may be provided in person or virtually/remotely dependent on individual school and District operating status. Dedicated Aides must meet the requisite credentials for highly qualified paraprofessionals outlined in the No Child Left Behind Act of 2002 who have the capacity to provide support for students who qualify for dedicated one on one paraprofessional support as determined by the Individualized Educational Plan (IEP) team in an urban setting. Dedicated Nurses must meet all requirements set forth by DC Health and at a minimum have an LPN credential.

Dedicated Aides

DCPS estimates it’s need for dedicated aides as approximately 115,000 hours of services provided by up to 110 dedicated aides.

Dedicated Nurses

DCPS estimates it’s need for dedicated nursing services as approximately 28,000 hours of services amongst 25 students.

Expert Nursing Services

DCPS estimates it’s need for expert nursing services/consulting TBD.

These estimates may change depending on individual school and District operating status, Mayor’s Orders, or legislation.

Services are to be provided on school days for students as outlined in the DCPS calendar (attachment J.15).

C.2 APPLICABLE DOCUMENTS

The following documents are applicable to this procurement and are hereby incorporated by this reference:

Attachment Number	Document
J.1	Government of the District of Columbia Standard Contract Provisions for Use with the Supplies and Services Contracts (July 2010) available at http://ocp.dc.gov , under Quick Links click on “Required Solicitation Documents”
J.2	U.S. Department of Labor Wage Determination No. 2015-4282, Revision No. 17 (4/23/2020)
J.3	Equal Employment Opportunity Employer Information Report and Mayor’s Order 85-85 available at available at http://ocp.dc.gov , under Quick Links click on “Required Solicitation Documents”
J.4	Department of Employment Services First Source Employment Agreement available at http://ocp.dc.gov , under Quick Links click on “Required Solicitation Documents”

Attachment Number	Document
J.5	Way to Work Amendment Act of 2006 - Living Wage Notice available at http://ocp.dc.gov , under Quick Links click on “Required Solicitation Documents”
J.6	Way to Work Amendment Act of 2006 - Living Wage Fact Sheet available at http://ocp.dc.gov , under Quick Links click on “Required Solicitation Documents”
J.7	Tax Certification Affidavit available at http://ocp.dc.gov , under Quick Links click on “Required Solicitation Documents”
J.8	Subcontracting Plan (if required by law) available at http://ocp.dc.gov , under Quick Links click on “Required Solicitation Documents”
J.9	First Source Initial Employment Plan (if contract is \$300,000 or more) available at http://ocp.dc.gov , under Quick Links click on “Required Solicitation Documents”
J.10	DSI Family Programs & Resources Guide
J.11	Dedicated Aide Manual 2019
J.12	Individuals with Disabilities Act 2004 http://idea.ed.gov/
J.13	Americans with Disabilities Act 2008 http://www.access-board.gov/about/laws/ada-amendments.htm
J.14	IMPACT – Effectiveness Assessment System for Group 17 https://dcps.dc.gov/publication/2019-2020-impact-guidebooks
J.15	DCPS School Calendar http://dcps.dc.gov/DCPS/About+DCPS/Calendars
J.16	Criteria for Request for Qualifications GAGA-2020-RFA-0030 https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:298d6095-88c0-4f18-af94-ea6f8f983369
J.17	Contractor Qualification Record (CQR) – Form 1900 https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:e09ee5cf-07b4-4c21-9bd1-9b8f13d3e704

C.3 DEFINITIONS

- **Special Education:** shall mean classroom instruction or special services or programs, provided at no cost to the parents, which is specially designed to meet the unique needs of a student with disabilities. Instruction is provided without charge but does not preclude incidental fees that are normally charged to students without disabilities, or their parents, as part of the regular education program.
- **Students With Disabilities:** students who have been evaluated in accordance with DCPS procedures and identified as having temporary or long-term special education needs arising from cognitive, emotional or physical factors, or any combination of these. The ability to meet general education objectives is impaired to a degree whereby the services available in the general education program are inadequate for preparation to achieve educational potential. Included are students having: mental retardation, hearing impairment (including deafness), speech impairment, language impairment, visual impairment (including blindness), serious emotional disturbance, other health impairment, orthopedic impairment,

specific learning disability, autism, traumatic brain injury, deaf-blindness, and multiple disabilities.

- **Parent:** a parent, a guardian, a person acting as a parent of a child, or a surrogate parent who has been duly appointed by a public agency.
- **Family Educational Rights and Privacy Act (FERPA):** the Act protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.
- **Free, Appropriate Public Education (FAPE):** special education and related services which 1) are provided at public expense, under public supervision and direction, and without charge; 2) meet the standards of the D.C. Public Schools; 3) include early childhood, preschool, elementary school or secondary school education; and 4) are provided in conformity with an individualized education program (IEP).
- **Health Insurance Portability and Accountability Act (HIPPA):** the Act guarantees patients new rights and protections against the misuse or disclosure of their health records.
- **No Child Left Behind:** On January 8, 2002, President Bush signed into law the No Child Left Behind Act of 2001. The Act was the most sweeping reform of the Elementary and Secondary Education Act (ESEA) since ESEA was enacted in 1965. It redefines the federal role in K-12 education and will help close the achievement gap between disadvantaged and minority students and their peers. It is based on four principals: stronger accountability for results, increased flexibility and local control, expanded options for parents, and an emphasis on teaching methods that have been proven to work.
- **Local Education Agency (LEA):** the agency holding educational responsibility for students within a defined jurisdiction. *For the purpose of this Request for Qualifications, the LEA is the District of Columbia Public Schools.*
- **State Education Agency (SEA):** the State Education Agency is the Board of Education for the District of Columbia, unless otherwise designated.
- **Day:** A school day or a business day.
- **Individuals with Disabilities Education Act (IDEA):** The Individuals with Disabilities Education Act (IDEA) is a United States federal law that governs how states and public agencies provide early intervention, special education, and related services to children with disabilities. It addresses the educational needs of children with disabilities from birth to age 18 or 21 in cases that involve 14 specified categories of disability.
 - Under IDEA 2004:
 - Special education and related services should be designed to meet the unique learning needs of eligible children with disabilities, preschool through age 21.
 - Students with disabilities should be prepared for further education, employment and independent living.
- **Individualized Education Plan (IEP):** is designed to meet the unique educational needs of one child, who may have a disability, as defined by federal regulations. The IEP is intended to help children reach educational goals more easily than they otherwise would. In all cases the IEP must be tailored to the individual student's needs as identified by the IEP evaluation process and must especially help teachers and related service providers (such as paraprofessional educators) understand the student's disability and how the disability affects the learning process.

- The IEP should describe how the student learns, how the student best demonstrates that learning and what teachers and related service providers will do to help the student learn more known disabilities, simultaneously considering ability to access the general curriculum, considering how the disability affects the student's learning, developing goals and objectives that correspond to the needs of the student, and ultimately choosing a placement in the least restrictive environment possible for the students.
- **Section 504:** is an antidiscrimination statute that assures equal opportunity to individuals with disabilities who participate in programs that are federally funded. Students who are not classified as eligible for special education and related services may receive accommodations and services under a 504 Plan. A 504 Plan may include either school-based occupational therapy or physical therapy, in the form of consultation or direct service.
- Office of the State Superintendent of Education (OSSE): State Education Agency for DCPS.
- **Random Moment in Time Study (RMETS):** is required by the federal Centers for Medicare & Medicaid Services (CMS) to secure reimbursement funds from Medicaid for schools. The reimbursement funds are used to pay for products and services to enhance the quality of student education. In order to maintain eligibility for Medicaid Reimbursement, DCPS must maintain a minimum response rate of 85% or higher.

C.4 BACKGROUND

The District of Columbia Public Schools (DCPS) has students with disabilities that require the services and supports of a dedicated one on one aide or nurse pursuant to their Individual Education Plan (IEP). A process has been developed and implemented throughout the District to ensure these services and supports are only provided to students who require them to access the curriculum and make meaningful progress toward identified goals and objectives.

The school district does employ dedicated aides; however, there is generally a shortfall between the number of dedicated aides employed by the school district and the number of dedicated aides required by students pursuant to their IEPs. The shortfall must therefore be ameliorated with contractual employees. School Health Services are provided through a Memorandum of Agreement between DCPS and the District of Columbia Health Department, but some students with disabilities require such extensive medical services and supports while in the educational environment that DCPS has elected to contract for those services.

The provisions of the No Child Left Behind Act of 2002, outline the requisite credentials of paraprofessionals serving in Title I schools. Since most public schools in the District are Title I schools, contracted dedicated aides must meet the requisite credentials for Highly Qualified Paraprofessionals outlined in the Act. Specifically, all contracted instructional and behavioral aides must demonstrate credits commensurate with at least two years participation in an institution of higher learning, an associate degree, or successful completion of a formal paraprofessional examination.

The provisions of the Individuals With Disabilities Education Act of 2004 (IDEA), describe school health services as a related service to students with disabilities who would be unable to attend a day of school without supportive health care provided by a qualified school nurse or a specifically trained non-medical person who is supervised by a qualified nurse. All contracted medical paraprofessionals must demonstrate credentials commensurate with these provisions of the IDEA.

C.5 REQUIREMENTS

C.5.1 Contractor Responsibilities; The contractor shall:

C.5.1.1 Staff appropriately certified and licensed paraprofessionals to provide the following:

C.5.1.1.1 Dedicated aides to provide physical prompting, verbal prompting, assistance with daily living skills, assistance with orientation and mobility, applied behavior analysis (ABA), and reinforcement of skills and concepts introduced by a teacher. When providing services in person this shall also include toileting, personal care, etc. Services may also be provided virtually.

Dedicated aides to also provide crisis prevention intervention; Antecedent-Behavior-Consequence (ABC) data on each incident of maladaptive behavior, passive physical restraint only when the student demonstrates serious, imminent danger to self, and/or others or in instances of major property destruction. Such intervention must be documented on a serious incident report and submit that report to the school administrator, data collection for functional behavioral analysis (FBA) and/or implementation of a behavior intervention plan (BIP), and data collection on the results of positive behavioral supports. Paraprofessionals will help ensure that their assigned students do not engage in dangerous elopement, major property destruction, and/or serious imminent danger to self and/or others.

C.5.1.1.2 When providing services in person, dedicated nurses to provide G-tube feeding, tracheotomy suctioning, treatments with a nebulizer or ventilator, chest physical therapy, urinary catheterization, diabetes blood sugar monitoring and insulin injections and management of other medical conditions as deemed appropriate by the IEP team. Nurses must meet the requisites for providers of school health services as a related service, outlined in the IDEA. Nurses will document all medical care each day in relation to student nursing and/or feeding plans.

When providing services virtually due to a school closure, dedicated nurses who will provide virtual consultation to staff and families of students with dedicated nurses. Nurses must meet the requisites for providers of school health services as a related service, outlined in the IDEA. Nurses will document all medical care each day in relation to student nursing and/or feeding plan virtual consultation, etc.

C.5.1.1.3 Contracted nurses will provide a variety of consultative services as directed by the DSI Program Manager including, but not limited to expert consultation, IEP participation, various meetings, review of student nursing and/or feeding plans, etc.

C.5.1.2 Provide DCPS with current copies of the college transcript, associate degree, and/or formal assessment scores of all paraprofessionals assigned to students with disabilities in any school for which DCPS is the local educational Agency (LEA).

C.5.1.3 Provide DCPS with current copies of each paraprofessional's certification in crisis prevention intervention and passive physical restraint.

C.5.1.4 Ensure that all paraprofessionals and nurses providing services under this contract are provided the necessary training in relation to DCPS needs and per the student's IEP.

- C.5.1.5** Provide a point of contact supervisor to interface with DCPS to address any issues or concerns regarding paraprofessionals and nurses.
- C.5.1.6** Provide substitute paraprofessionals and/or nurses when the DCPS Division of Specialized Instruction ("DSI") main staff is absent within two hours' notice. They will also:

 - i. Notify contract administrator of staff absence and time frame for substitute support to report.
 - ii. Notify school representative of staff absence and estimated time of arrival for substitute staff.
- C.5.1.7** Provide services according to the need of paraprofessional and nurse support as outlined in this solicitation for the DCPS schools. Services will include implementation of strategies and interventions, implementation of student IEPs and Behavior Intervention Plans (BIP) as well as the implementation of fade plans, which provide guidance to the IEP team on the removal of support during specific parts of the student's school day in accordance to the IEP.
- C.5.1.8** The contractor shall participate in pertinent meetings and participate in professional development with DCPS staff as required to meet the needs of the students and DSI.
- C.5.1.9** Inform DCPS contract administrator in collaboration with the school team if the assigned student has withdrawn from DCPS or the service has been removed from the IEP.
- C.5.1.21** Maintain an individual personnel file for each staff person providing services under this contract that contains an application for employment, professional references, and verification of applicable credential/certification.
- C.5.1.22** Make all personnel materials available to the contract administrator upon request.
- C.5.1.23** Immediately communicate with DCPS if the paraprofessional or nurse abruptly leaves/resigns and present a replacement for that staff. In case the contractor is unable to present such replacement, the contractor shall make a good faith effort to provide a replacement within one calendar days and communicate with DCPS about its efforts.
- C.5.1.24** Provide consistent services with the procedures and standards established by the District of Columbia special education state regulations, Medicaid, and all other statutory requirements.
- C.5.1.25** Remove low performing paraprofessionals immediately and replace with appropriate personnel.
- C.5.1.26** Ensure all paraprofessionals attend DCPS required training.
- C.5.1.27** Implement professional development (PD) for paraprofessional based on:

 - (i) The development level and disability category of the student supported; and
 - (ii) Specific upon content skill areas necessary to support the assigned student

C.5.2 The Paraprofessionals and Nurses ("Contractor Personnel") shall:

- C.5.2.1** Follow all DCPS guidelines and procedures related to student discipline. Failure to comply may result in disciplinary action for the paraprofessional.
- C.5.2.3** Under the direction of a DCPS certified special education teacher, provide moderate to intense support to students who are in the special education setting and are diagnosed with a qualifying physical/mental disability or impairment that impacts the child's academic performance under IDEA. Paraprofessionals will be specifically assigned and assist in the attainment of each child's IEP goals, BIP and/or nursing plan.
- C.5.2.4** Participate in planning sessions, staff professional development, parent-teacher conferences, and IEP meetings, when requested by the building principal and when approved by the contract administrator, provided that, substitute coverage is provided to the assigned student.
- C.5.2.5** Build and maintain positive, professional relationships with all educational stakeholders to include students, school staff, central office staff, families, and community partners.
- C.5.2.6** Maintain required data and anecdotal notes relevant to assigned students, using the data collection instruments provided by DCPS.
- C.5.2.7** Have access to their assigned students' IEPs and/or BIPs and/or nursing plans and demonstrate thorough familiarity with the aforementioned documents. Paraprofessionals will be trained by DCPS school team on these documents prior to beginning service with an assigned student. Paraprofessionals will not remove these documents from the school building when school is not in session or when their assigned students are absent. Paraprofessionals will maintain strict confidentiality related the contents of these documents in accordance with DCPS disclosure statement.
- C.5.2.8** Assist in the implementation of the IEPs and/or BIPs of their assigned students.
- C.5.2.9** Be under the guidance of DCPS classroom teacher, related service provider as authorized by DCPS, DSI Program Manager, and/or school principal or designee while providing services to their assigned students.
- C.5.2.10** Assist their assigned students, to the extent required by their students' IEPs and/or BIPs, with the performance of daily living skills to include but not limited to eating, dressing, toileting, and maintaining personal hygiene.
- C.5.2.11** Assist their assigned students with safe transitions from one activity to another and one setting to another.
- C.5.2.12** Assist their assigned students in the effective and efficient use of technology.
- C.5.2.13** Refrain from sharing their personal telephone number with parents or communicating with parents directly. The paraprofessional will identify the teacher, related service provider, special education coordinator, case manager, and/or school administrator as the primary point of contact with whom to discuss parental concerns should be discussed.
- C.5.2.14** Upon invitation participate in DCPS professional development sessions.

- C.5.2.15 Be evaluated in accordance with DCPS evaluation procedures. Any paraprofessional evaluated in the minimally effective or ineffective range will be relieved of their duties with DCPS.
- C.5.2.16 Follow DCPS' local schools', DSI, and ESY policies and procedures (including attendance, on time arrival, respect dress code, participating in collaborative block (if appropriate), etc.).
- C.5.2.17 Be subject to unannounced observations by DSI/Program Manager.
- C.5.2.18 Disengage from use of cellphones or texting during school hours.
- C.5.2.19 Restrict communication with parents to specific requests from DCPS or in the presence of a DCPS staff member.
- C.5.3 **In the event of award of a human care agreement, the contractor responding to this Request for Qualifications shall:**
 - C.5.3.1 ensure all paraprofessionals and nurses complete DCPS background check (fingerprinting and drug testing) and submit tuberculosis (TB) test results. Contractor staff must successfully pass the background check and provide negative TB test results.
 - C.5.3.2 Maintain an individual personnel file for each staff person that contains an application for employment, professional references, and verification of applicable credential/certification.
 - C.5.3.3 All personnel materials shall be made available to the Contract Administrator (CA) upon request.
 - C.5.3.4 Develop a district wide staffing plan, approved by DCPS/OSI's Academic Programs Director and Program Manager. The Staffing Plan will detail the assigned support for students and supervision assignments across DCPS. The Program Manager and Contractor shall communicate daily to review the Staffing Plan and adjust thereto. The Staffing Plan shall detail how student coverage will be accomplished when paraprofessionals are absent. The contractor will also provide coverage for centrally funded paraprofessionals.
 - C.5.3.5 Have on staff a Registered Nurse to supervise and support their dedicated nurses.
 - C.5.3.6 Provide consistent services with the procedures and standards established by the District of Columbia special education state regulations, Medicaid, and all other statutory requirements.
 - C.5.3.7 Adhere to all IDEA 2004, federal, state, and DCPS guidelines.
 - C.5.3.8 Immediately communicate with DCPS if the paraprofessional abruptly leaves and present a replacement for that staff. In case the Contractor is unable to present such replacement, the Contractor shall communicate with DCPS about its compromise to make a good faith effort to provide a replacement within one calendar days.

- C.5.3.9 Specifies paraprofessional to be 100% compliant with Random Moment in Time Study Responses (RMTS).
- C.5.3.10 Notify DCPS two weeks ahead of time when paraprofessionals or nurses will resign. The Contractor is responsible for finding a replacement within that two weeks' time frame.
- C.5.3.11 Remove low performing paraprofessionals and/or nurses immediately and replace with appropriate personnel.
- C.5.3.12 Ensure all paraprofessionals attend DCPS required training.
- C.5.3.13 Implement professional development (PD) for paraprofessionals based on:
(i) the development level and disability category of the students supported; and
(ii) specific upon content skill areas necessary to support the assigned student.
- C.5.3.14 Provide documentation with invoices that:
(i) corroborate the date(s) and time(s) of service provided by paraprofessionals, nurses, and management team;
(ii) verify arrival and departure times through signed timesheets by school administrator or designee (pursuant to schedules provided); and
(iii) confirm the names of the students supported.
- DCPS may disallow invoices that do not accompany the above requirements; these invoices will not be paid until the issues in question are satisfactorily rectified.
- C.5.3.15 Furnish upon request to DCPS, the Medicaid agency, the Federal Government or their designees, information related to business transactions in accordance with 42 CFR § 455.105(b).
- C.5.3.16 Ensure compliance with US Code Title 18 Section 1001, which prohibits lying to or concealing information from a federal official by oral affirmation, written statement or mere denial. The purpose of the statute is to "punish those who render positive false statements designed to pervert or undermine functions of governmental departments and agencies."
- C.5.4 The paraprofessionals and nurses shall:
(i) Follow DCPS and local schools' policies and procedures (including attendance, on-time arrival, respect, dress code, participating in collaborative blocks, etc.)
(ii) sign-in and out on a specific attendance book at schools;
(iii) be subject to unannounced observations by OSI/ Program Manager;
(iv) disengage from use of cellphones or texting during school hours; and
(v) restrict communication with parents to specific requests from DCPS or in the presence of a DCPS staff member.